

No. 23-1078

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

B.P.J., by her next friend and mother, HEATHER JACKSON,
Plaintiff-Appellant/Cross-Appellee,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY
BOARD OF EDUCATION; W. CLAYTON BURCH, in his official capacity as
State Superintendent; DORA STUTLER, in her official capacity as Harrison
County Superintendent,

Defendants - Appellees,
and

WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION,

Defendant - Appellee/Cross - Appellant,
and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD,

Intervenors - Appellees.

On Appeal from the United States District Court for the Southern District of West
Virginia (Charleston Division)
The Honorable Joseph R. Goodwin, District Judge
District Court Case No. 2:21-cv-00316

**MOTION TO WITHDRAW CARL S. CHARLES AS COUNSEL FOR
PLAINTIFF-APPELLANT/CROSS-APPELLEE**

Pursuant to Local Rule 46(c), the undersigned counsel respectfully moves for an order to withdraw Carl S. Charles as counsel for Plaintiff-Appellant/Cross-Appellee B.P.J., by her next friend and mother, Heather Jackson in the above-captioned appeal. Carl S. Charles is departing Lambda Legal Defense and Education Fund, Inc. on September 8, 2023. Tara L. Borelli and Sruti Swaminathan of Lambda Legal Defense and Education Fund, Inc.; Joshua A. Block of the American Civil Liberties Union Foundation; Aubrey Sparks and Nick Ward of the American Civil Liberties Union of West Virginia; and Julie Veroff, Kathleen Hartnett, Zoe Helstrom, Katelyn Kang, Elizabeth Reinhardt and Mariah A. Young of COOLEY, LLP remain as counsel of record for Plaintiff.

Notice of Carl S. Charles withdrawal was provided to B.P.J., by her next friend and mother, Heather Jackson, on August 23, 2023, and will be served via ECF upon all parties through their counsel of record.

Pursuant to Local Rule 27(a) counsel for Plaintiff-Appellee has conferred with counsel for Defendants-Appellees, Cross-Appellant, and Intervenor-Appellees who indicated consent to granting the motion.

Dated: August 31, 2023

Respectfully submitted,

/s/ Carl S. Charles

Tara Borelli
Carl S. Charles
LAMBDA LEGAL
1 West Court Square
Suite 105
Decatur, GA 30030
Phone: 404-897-1880

Julie Veroff
Kathleen Hartnett
Zoë Helstrom
COOLEY LLP
3 Embarcadero Center, 20th Floor
San Francisco, CA 94111
Phone: (415) 693-2000
khartnett@cooley.com

Sruti Swaminathan
LAMBDA LEGAL
120 Wall Street, 19th Floor
New York, NY 10005
Phone: (212) 809-8585

Katelyn Kang
COOLEY LLP
55 Hudson Yards
New York, NY 10001-2157
Phone: (212) 479-6000

Joshua A. Block
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Phone: (212) 549-2569

Elizabeth Reinhardt
COOLEY LLP
500 Boylston Street, 14th Floor
Boston, MA 02116-3736
Phone: (617) 937-2305

Aubrey Sparks
Nick Ward
AMERICAN CIVIL LIBERTIES
UNION OF WEST VIRGINIA
FOUNDATION
P.O. Box 3952
Charleston, WV 25339-3952
Phone: (304) 202-3435

Mariah A. Young
COOLEY LLP
110 N. Wacker Drive
Suite 4200
Chicago, IL 60606
Phone: (312) 881-6500

*Counsel for Plaintiff-Appellant/Cross-
Appellee B.P.J.*

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2023, I filed the foregoing document through the Court's CM/ECF system, which will serve an electronic copy on all registered counsel of record.

Dated: August 31, 2023

/s/ Carl S. Charles

Carl S. Charles